

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JAMES M. OSBORNE,

Plaintiff,

v.

GERALD W. DORRIS, SUE FUNKHOUSER,  
LEON KEHRER, and ASHLEY CRIDER,

Defendants.

Case No. 16-cv-1292-JPG-MAB

**MEMORANDUM AND ORDER**

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 69) of Magistrate Judge Mark A. Beatty recommending that the Court grant the defendants’ motions for summary judgment (Docs. 51 & 52) or, in the alternative, dismiss this case with prejudice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute.

The Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in a report and recommendation. Fed. R. Civ. P. 72(b)(3). The Court must review *de novo* the portions of the report to which objections are made. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the Report. The Court has reviewed the entire file and finds that the Report is not clearly erroneous. Accordingly, the Court hereby:

- **ADOPTS** the Report in its entirety (Doc. 69);
- **GRANTS** the defendants’ motions for summary judgment (Docs. 51 & 52);
- In the alternative, **DISMISSES** this case **with prejudice** for lack of prosecution pursuant

to Rule 41(b); and

- **DIRECTS** the Clerk of Court to enter judgment accordingly.

**IT IS SO ORDERED.**

**DATED: June 18, 2019**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**